

25 January 1980

STAT MEMORANDUM FOR: [REDACTED]
APEX Control Staff

STAT FROM: [REDACTED]
Acting Chief, Records Management Division, ISS/DDA

SUBJECT: Suggested Changes to "The APEX Special Access Control System" Government Manual

REFERENCE: Your 23 January Telecon with [REDACTED] Records Systems Branch

STAT

1. The following records disposition changes will put the APEX manual in line with 44 USC 33 and FPMR 101-11.4 and is the simplest way to go. If you can't live with the stated time periods there are other, more involved, possibilities.

a. Re paragraph 87, change the first sentence to: APEX controlled material will be retained or destroyed in accordance with records control schedules approved by the Archivist of the United States (44 USC 33 and FPMR 101-11.4). APEX material approved for destruction will be destroyed as soon as it becomes eligible for destruction under these schedules and in a manner that will preclude reconstruction in any intelligible form.

b. Re paragraph 94, change the last sentence to: Such records will be destroyed two years after dispatch of the documents (General Records Schedule (GRS) 18, Item 3).

c. Re paragraph 95, change to: Records of incoming or dispatched TOP SECRET APEX and R [REDACTED] hard-copy documents will be destroyed five years after the documents are transferred, downgraded, or destroyed (GRS 18-6a).

d. Re paragraph 96, change to: Records for other incoming or dispatched APEX documents will be destroyed when two years old (GRS 18-3). The record requirement for incoming or dispatched materials may be satisfied by keeping copies or the envelope/pouch/package receipt or other appropriate records maintained by the ACF.

2. Paragraph 75 F does not conform with the requirements of E.O. 12065 and, because no flexibility in the use of markings is permitted, would require the CIA and other agencies to revamp their E.O. implementing

instructions. We suggest this paragraph be amended to read:

Classification Duration and Markings: Having satisfied threshold criteria demanding protection under the APEX Special Access Control System, APEX materials are classified for a period of 20 years (except for foreign government information as defined in E.O. 12065, which will remain protected for 30 years) because earlier disclosure would damage the national security. Classification markings will be in accordance with E.O. 12065, Information Security Oversight Office (ISOO) Directive No. 1, and other implementing directives. These markings will be placed on the face of each classified document (or they may be placed on the inside cover of formal publications) and as the last line or paragraph of electrical transmissions. Original classification markings must provide:

- . the identity of the classifying authority
(CLASSIFIED BY, CL BY, or CL)
- . the office of origin - if not otherwise evident
- . the date for declassification review - indicate date 20 or 30 years from origination (REVIEW ON, REVW ON, REVW, or RVW)
- . the identity of the Top Secret classifier who authorized the prolonged classification - in this case the T.S. classifier who determines the material is APEX (EXTENDED BEYOND 6 YEARS BY, EXT BYND 6 YRS BY, EXT BY, EXT)
- . the reason the classification is extended beyond 6 years - enter 'APEX 75 F' as the reason (REASON FOR EXTENDED CLASSIFICATION, REASON, or RSN)

For example:

ORIGINAL CL BY _____
REVIEW ON _____
EXTEND BEYOND 6 YRS BY _____
REASON APEX 75 F _____

Documents derivatively classified will also be marked in accordance with ISOO Directive No. 1 and other implementing directives.

For example:

DERIVATIVE CL BY _____
REVIEW ON _____
DERIVED FROM (source document or
classification guide citation)

3. It is not made clear in the manual whether or not the word R _____ is classified. The classification instructions in paragraph 63 are ambiguous on this point, and the portion markings on paragraphs containing this word are inconsistent. For example, paragraph 70 is marked (U), while paragraph 28, which could have no other reason for being classified, is marked (C). If the word R _____ is classified, then the dissemination instructions in paragraph 28A should be changed to eliminate this word from the outer wrapper.

STAT

STAT DDA/ISS/RMD/RSB [] saj (25 January 1980)

Cover Sheets

86. To preclude inadvertent disclosure, APEX material will be covered.

A. TOP SECRET APEX material will be covered with unique cover sheets which are to be used for access registration and document destruction notification. These unique cover sheets are available for use through the APEX Steering Group but local reproduction is authorized and encouraged.

B. SECRET and CONFIDENTIAL APEX material will be covered with cover sheets on which user will type necessary markings and material identification. Samples of the unique TOP SECRET APEX Cover Sheets and the general cover sheets are at figure 3. *No portion marking*

Destruction

87. As soon as possible after its purpose has been served, all APEX-controlled material will be destroyed in accordance with Title 44 USC 33 and FPMR 101-11, 4, and in a manner that will preclude reconstruction in any intelligible form. Only those methods (these may include burning, pulping, pulverizing, melting, or chemical decomposition, depending on the type of materials to be destroyed) specifically authorized by the responsible SIO will be used. Destruction will be supervised and witnessed by at least two APEX indoctrinated individuals. Certification-of-destruction records shall be maintained for a period of one year if not returned to the originator. APEX material contained within computer or automated data-processing systems or other magnetic media will be erased by approved degaussing equipment or by other means designated by the DCI. (See "Intelligence Community Policy for the Release of Magnetic Storage Media," 13 March 1974). (U)

Reproduction

88. Reproduction of APEX material will be kept to a minimum consistent with operational necessity. Copies of documents are subject to the same control and destruction procedures as the original. Adherence to stated prohibitions against reproduction is mandatory. Any equipment used for APEX reproduction must be thoroughly inspected and sanitized before removal of the equipment from the ACF. (U)

89. Reproduction of hard-copy APEX TOP SECRET materials requires the prior consent of the originator. Materials classified SECRET or CONFIDENTIAL may be restricted from reproduction by the originator by application of the phrase "REPRODUCTION REQUIRES APPROVAL OF ORIGINATOR." (U)

Accountability

90. All hard-copy APEX TOP SECRET documents will be inventoried at least annually or when there is a change of designated ACOs or authorized custodians of such material. SIOs of the Intelligence Community may authorize adjustments to this policy in the case of ACFs with limited manpower or with substantial holdings (such as libraries or order-of-battle files). (u)
91. Accountability and inventory of R\ material will be in accordance with this manual. (p)
92. Random audits will be conducted annually for all other APEX hard-copy documents to ensure that the holdings are properly accounted for and maintained according to this manual. (u)
93. Should a random audit fail to locate a significant number of sampled documents, the responsible ASO will order a complete inventory of APEX documents received by the ACF. (u)
94. All discrepancy reports resulting from inventories will be provided to the responsible ASO, who will initiate search and investigation of all missing documents. Intelligence Community ASOs will provide the DCI/ASO an annual report of the results of their inventories or audits during October of each year. Each ACF will keep a record of all APEX documents that are dispatched outside the facility. This dissemination record will identify the material and the specific organizations to which the documents were disseminated. Such records will be retained for at least one year after dispatch of the documents. (u)
95. Records of incoming TOP SECRET APEX and R\ hard-copy documents will be retained as long as the material is held by an ACF and for one year after destruction. (p)
96. Records for other incoming APEX documents will be retained for as long as needed for administrative or accountability purposes, but in no case for less than six months. The record requirement for dispatched materials may be satisfied by keeping copies of the envelope/pouch/package receipt or other appropriate dissemination records maintained by the dispatching ACF. Such receipts should be retained for a minimum of one year. (u)
97. Dissemination records are not required for raw intelligence data that are transmitted on a regular basis from a collection point or facility to a processing facility; nor are records required while such material is being processed into a form suitable for analytical use, provided it

~~Confidential~~
Sanitized

E. Control Markings for the Dissemination of Foreign Intelligence and Related Material. Restrictive and other markings prescribed in DCID 1/7 (appendix E) will be used on the title page, front cover, and other applicable pages or paragraphs to control the dissemination of foreign intelligence or related material which requires APEX protection. (U)

F. *Classification Review Notice*. Having satisfied threshold criteria demanding protection under the APEX Special Access Control System, APEX materials are classified for a period of 20 years (except for information as defined in ED 12065 foreign government, which will remain protected for 30 years). The following Classification Review Notice will be used on the cover (if any), title page, or first page of typescript text, or inside cover of formal publications:

CLASSIFIED BY:
(Appropriate authority)

REVIEW ON
(indicate date 20 or 30 years from issuance)

REASON FOR EXTENDED CLASSIFICATION: APEX
XIII, b.6 (for original classification decisions only)

The abbreviation "RE VW (date 20 or 30 years)" may be substituted in electrically transmitted messages.

DERIVATIVE CLASSIFICATION: (To be accomplished in conformity with Information Security Oversight Office, Directive No. 1)(U)

G. *Abbreviations*. Distinctive APEX markings will not be abbreviated where there is a likelihood that the abbreviation will be confusing or otherwise not understood by the recipient. A standard list of approved abbreviations will be provided by the APEX Steering Group. These abbreviations will apply to paragraph and portion markings. (U)

H. *Marking Files, Folders, or Groups of Documents*. Files, folders, or groups of documents shall be conspicuously marked to assure the protection of all APEX material contained therein. The classification and handling controls for such material should be marked on the file folder tab or other prominent location, or the marking should be affixed to an appropriate APEX cover sheet. (U)